



CITY OF MILPITAS PLANNING COMMISSION MEETING AGENDA

October 9, 2019 7:00 PM

**CITY HALL COUNCIL CHAMBERS
455 E. CALAVERAS BLVD., MILPITAS, CA 95035**

I. CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE (Vice Chair Morris)

III. ROLL CALL

IV. CONFLICT OF INTEREST DECLARATION

V. APPROVAL OF THE AGENDA

By motion, approve the meeting agenda for October 9, 2019.

VI. ANNOUNCEMENTS

VI-1 Planning Commissioners

VI-2 Planning Director

VII. PUBLIC FORUM

Members of the audience may address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium and state their name and address for the record. Please limit remarks to no more than three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

VIII. APPROVAL OF MINUTES

By motion, approve the regular meeting minutes of April 24 and September 25.

IX. PUBLIC HEARING

IX-1 NEW CHILD CARE FACILITY – 1171 E. Calaveras Blvd. – Conditional Use Permit No. UP19-0007: A Conditional Use Permit to operate a 3,931-square foot child care facility for up to 108 children in an existing building located at 1171 E. Calaveras Blvd. This project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) and Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Planner: Avery Stark, (408) 586-3288, astark@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission consider the exemption in accordance with CEQA and adopt Resolution No. 19-031 approving Conditional Use Permit No. UP19-0007, subject to the attached Conditions of Approval.

IX-2 NEW HILLSIDE RESIDENCE – 898 CALAVERAS RIDGE DRIVE - SD18-0016, P-MS19-0174 – A Site Development Permit to develop a new 5,807-square foot single-family residence, with a metal fence up to six feet in height at the front of the property and an internal fence up to nine-feet in height, and a Minor Site Development Permit to allow a portion of the accessory dwelling unit to be located within the front half of the property on a vacant 1.274-acre hillside lot within Planned Unit Development No. 23.5, zoned R1-H Hillside Combining District. The project is exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303(a) (New Construction of Small Structures) and Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). Project Planner: Krishna Kumar, (408) 586-3276, kkumar@ci.milpitas.ca.gov

Recommendation: Staff recommends that the Planning Commission consider the exemption in accordance with CEQA and adopt Resolution No. 19-030, recommending approval of Site Development Permit SD18-0016 and Minor Site Development Permit P-MS19-0174 to the City Council, subject to the attached Conditions of Approval.

IX-3 MAJOR TENTATIVE MAP FOR CONDOMINIUMS – 91 MONTAGUE – UA19-0018 and MT19-0001 – A Conditional Use Permit Amendment and Major Tentative Map to subdivide an approved 180,267-square foot residential structure into 72 residential condominium units. The project is consistent with the Addendum to the Milpitas Midtown Specific Plan Environmental Impact Report (Resolution 8588) and CEQA Guidelines Section 15168 (Program EIR), Section 15183 (Project Consistent with a Community Plan, General Plan or Zoning) and Section 15182 (Projects Consistent with Specific Plan). Project Planner: Michael Fossati, (408) 586-3274, mfossati@ci.milpitas.ca.gov

Recommendation: Staff recommends the Planning Commission continue the item to a date certain being October 23, 2019.

X. NEW BUSINESS

X-1 Planning Commission Work Plan FY 2019-20 – The City Council requires each City Commission to prepare a Work Plan with an outline of their work for current fiscal year. The work plan must be consistent with the Commission bylaws.

Recommendation: Staff recommends that the Planning Commission review the FY2019-20 Work Plan and forward to the City Council for approval.

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within 12 calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XI. ADJOURNMENT

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public.
Commissions, boards, councils and other agencies of the City exist to conduct the people's business.

This ordinance assures that deliberations are conducted before the people and the
City operations are open to the people's review.

Materials related to an item on this agenda submitted to the Planning Commission after initial distribution of the
agenda packet are available for public inspection at the Planning Department office at Milpitas City Hall,
455 E. Calaveras Blvd., Milpitas, during normal business hours.

For more information on your rights under the Open Government Ordinance or to report a violation of
the ordinance, contact the City Attorney's office at Milpitas City Hall
455 E. Calaveras Blvd., Milpitas, CA 95035 Phone 408-586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is
available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.*

The Planning Division will provide a recorded agenda or minutes printed in large type upon request for the visually
impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this
meeting should notify the Planning Division prior to the meeting at 408-586-3279.
